

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare as follows:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Illuminated Novelty Confection,

Case No. P0313, U.S. application number 10/663,499 filed on 15 September 2003.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I do not know and do not believe that this invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that this invention was in public use or on sale in the United States of America more than one year prior to this application. I believe that this invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application. I believe that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns.

I hereby appoint Anne K. Burkhart (Registration No. 35,280) and Patrick N. Burkhart (Registration No. 33,352), of 940 DAKOTA AVE., WHITEFISH, MONTANA, 59937 telephone No. (406) 862-1187, as my Agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be sent to:

Burkhart & Burkhart

Registered U.S. Patent Attorneys

P.O. Box 1823

Whitefish, Montana 59937

I hereby declare that: All statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; And, such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: Richard Johnson

Inventor's signature: Richard Johnson Date: 5/1/04

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